

MEMO ENDORSED



**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 04/22/2021**

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April 22, 2021

VIA ECF

Hon. Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Gunter v. New York City Dep't of Corr., et al.
18-CV-0756 (PGG) (KHP)

Dear Judge Parker:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, attorney for Correction Officer Melissa Rodriguez in the above-referenced action. Pursuant to the Court's April 9, 2021 Order (ECF No. 49), I write to provide a status report concerning the parties' settlement agreement. I write also in response the Court's Order, dated April 22, 2021.

First, I apologize to the Court for the timing of this letter, and for not filing a letter in response to the Court's April 9, 2021 Order by the deadline set forth in that Order. I prepared a draft of this letter, but, due to my inadvertent oversight, did not file it on April 16, 2021 as Ordered. I regret the oversight and any resulting inconvenience.

Regarding the parties' settlement agreement, it was finalized on April 7, 2021. I have provided a fully executed copy to Plaintiff, who has also executed and provided to me all other papers necessary to process payment. Those papers have already been provided to the Comptroller's Office, and prior to filing this letter, I filed the settlement agreement on the case docket (*see* ECF No. 51). The Comptroller's Office has assured me that it will make efforts to process Plaintiff's payment expeditiously.¹

¹ Plaintiff may check the status of his claim (Claim #2020PI026507) by submitting a request through the Comptroller's website, <https://comptroller.nyc.gov/services/for-the-public/judgment-and-claim-settlement-payment-inquiry/submit-online/>.

Finally, regarding the Court's April 22, 2021 Order, Defendant respectfully requests that the status conference currently set for Wednesday, May 12, 2021 at 2:00 p.m. (*see* ECF No. 50) be adjourned by 14 days, to May 26, 2021, or a date thereafter that is convenient for the Court, to avoid a scheduling conflict with defense counsel's previously scheduled vacation.

Thank you for your consideration of this matter.

Respectfully submitted,

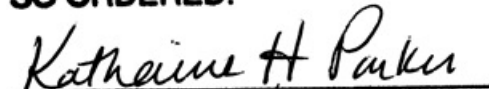
/s/

Copatrck Thomas
Assistant Corporation Counsel

cc: Harvey J. Gunter
DIN:18-A-1208
Five Points Correctional Facility
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Caller Box 119
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(by regular mail)

The Court thanks counsel for the status update. Defendant's application for an adjournment of the May 12, 2021 status conference is GRANTED sine die. Defendant is directed to file a status letter with the Court as soon as Plaintiff has received the full settlement amount.

SO ORDERED:


**HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE**

4/22/2021